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EXAMINER

CHANKONG, DOHM

ART UNIT

PAPER NUMBER

2152

DATE MAILED: 04/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/818,660

Applicant(s)

TOMITA, ATSUSHI

Examiner

Dohm Chankong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1> Applicant's amendment and remarks have been received. Claims 17-20 have been added. Claims 1-20 are now presented for further examination.

Response to Arguments

2> Applicant's arguments with respect to claims 1-13 have been considered but are moot in view of the new ground(s) of rejection necessitated by Applicant's amendment.

3> Applicant's arguments, see page 15, filed 12.15.2004, with respect to the rejection(s) of claim(s) 14-16 under 35 U.S.C § 103(a) have been fully considered and are persuasive.

Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of new prior art, as detailed below.

Claim Rejections - 35 USC § 112

4> The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5> Claims 1-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

6> Claim 1 lacks proper antecedent basis: "the equipment management apparatus comprising:..." - line 11. There are three separate references to "an equipment management

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apparatus" in the claim. It is unclear if these management apparatuses are the same or if they are separate apparatuses. If they are separate, then it is unclear to which "the equipment management apparatus" of line 11 is referring.

Claim Rejections - 35 USC § 103

7> The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8> Claims 1-6, 9, 11-13 and 17-20 are rejected under 35 U.S.C § 103(a) as being unpatentable over Frailong et al, U.S Patent No. 6,012,100 ["Frailong"] in view of L'Heureux et al, U.S Patent No. 6,697,942 ["L'Heureux"].

9> As to claim 1, Frailong discloses an equipment management system for managing equipment by an equipment management apparatus for acquiring management information from the equipment and a central management apparatus for centrally managing management information making packet data communication via a network over which a data processor is connected, the central management apparatus comprising:

the equipment management apparatus comprising:

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a reception controller for acquiring the packet data containing the connection check data transmitted to the apparatus from the data processor before starting equipment management [Figure 2 «item 208» | column 5 «lines 25-30»].

Frailong discloses a transmission controller for transmitting said packet data to the data processor, packet data containing connection check data addressed to a newly installed equipment management apparatus is located at the data processor [Figure 2 «item 206» | column 2 «lines 29-37» | column 5 «lines 18-30» | column 12 «lines 59-60»] where : Frailong's remote server acts analogously to the data processor], but does not disclose that the packet data is transmitted in advance of installing a new equipment management apparatus

10> In a similar field of invention, L'Heureux discloses a central management apparatus with a transmission controller for transmitting packet data to a data processor in advance of installing a new equipment management apparatus [Figure 1 «item 110, 130, 160» | column 2 «lines 59-61» | column 3 «lines 25-31» where : the email is sent to the email server regardless of whether or not the apparatus has been installed]. It would have been obvious to one of ordinary skill in the art to incorporate L'Heureux's data transmission functionality into Frailong's equipment management system to enable transmission of the packet data in advance. L'Heureux teaches that utilizing email messages for the task enables a wider variety of the types of data to be used to configure remote devices. Additionally, L'Heureux's email implementation in Frailong's system would incorporate the inherent and well known advantages of email services, such as the ability to transmit messages to user devices without requiring the user device to be online. Furthermore, Frailong suggests that the configuration

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information can be downloaded to the equipment management apparatus when the apparatus is first installed which would benefit from having the information being sent to the data processor in advance.

11> As to claim 2, Frailong discloses the equipment management system of claim 1, wherein packet data containing the connection check data further comprises destination information on the equipment management apparatus [column 5 «lines 47-56»], and the equipment management apparatus further comprises a memory for storing the destination information on the central management apparatus [column 5 «lines 31-40»].

12> As to claim 3, Frailong discloses the equipment management system of claim 1, wherein packet data containing the connection check data further comprises initial setting information on the equipment management apparatus, and the equipment management apparatus further comprises an initial setting controller for providing initial settings relevant to the apparatus itself based on the initial setting information [column 2 «lines 29-38» | column 5 «lines 18-58»].

13> As to claim 4 Frailong discloses the equipment management system of claim 1, wherein the equipment management apparatus further comprises a display controller for displaying predetermined information on a display device in response to acquisition of the connection check data by the reception controller [Figure 3 «item 318» | column 6 «lines 357-63»].

14> As to claim 5, Frailong disclose the equipment management system of claim 4 wherein the display device is provided at an operating panel of equipment to be managed [column 6 «lines 35-38»].

15> As to claim 6, Frailong discloses the equipment management system of claim 1, wherein the central management apparatus further comprises an operating unit for registering information concerning an equipment management apparatus newly installed, and the transmission controller transmits the packet data containing the connection check data to the data processor in response to registration of information concerning the equipment management apparatus newly installed [column 12 «lines 23-35 and 45-64» | column 13 «lines 2-9»].

16> As to claim 9, Frailong discloses the equipment management system of claim 1, wherein the network includes Internet [Figure 2 «item 216»].

17> As to claim 17, Frailong does not explicitly disclose the data processor as a mail server.

18> L'Heureux discloses a data processor as a mail server [Figure 1 «item 110, 130, 160» | column 2 «lines 59-61» | column 3 «lines 25-31»]. It would have been obvious to one of ordinary skill in the art to implement Frailong's remote server as an email server, such as the one disclosed by L'Heureux in his remote management system, and to transmit the packet

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data in advance. L'Heureux teaches that utilizing email messages for the task enables a wider variety of the types of data to be used to configure remote devices.. As is well known in the art, such an email implementation in Frailong's system would incorporate the inherent and well known advantages of email services, such as the ability to transmit messages to user devices without requiring the user device to be online.

19> As to claim 18, Frailong discloses the equipment management system of claim 1 wherein the data processor is a server [Figure 2 «item 206»].

20> As to claim 11, Frailong discloses an equipment management method for managing equipment by an equipment management apparatus for acquiring management information from the equipment and a central management apparatus for centrally managing management information making packet data communication via a network over which a data processor is connected, the equipment management method comprising the steps of:

the equipment management apparatus acquiring from the data processor, packet data containing the connection check data transmitted to the apparatus itself before starting equipment management [column 5 «lines 25-58»]; and

starting equipment management, after the connection check data has been normally acquired by the equipment management apparatus [column 5 «lines 47-58» | column 14 «lines 44-62»].

Frailong discloses the central management apparatus transmitting to the data

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processor packet data containing connection check data addressed to an equipment management apparatus which is newly installed [column 5 «lines 43-58»] but does not explicitly disclose transmitting in advance of installing a new equipment management apparatus.

21> L'Heureux discloses a central management apparatus with a transmission controller for transmitting packet data to a data processor in advance of installing a new equipment management apparatus [Figure 1 «item 110, 130, 160» | column 2 «lines 59-61» | column 3 «lines 25-31» where : the email is sent to the email server regardless of whether or not the apparatus has been installed]. It would have been obvious to one of ordinary skill in the art to implement Frailong's remote server as an email server, such as the one disclosed by L'Heureux in his remote management system, and to transmit the packet data in advance. L'Heureux teaches that utilizing email messages for the task enables a wider variety of the types of data to be used to configure remote devices. Additionally, an email implementation in Frailong's system would incorporate the inherent and well known advantages of email services, such as the ability to transmit messages to user devices without requiring the user device to be online. Furthermore, Frailong suggests that the configuration information can be downloaded to the equipment management apparatus when the apparatus is first installed which would benefit from having the information being sent to the data processor in advance.

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22> As to claims 12 and 13, as they are merely claims to methods that outline the steps executed by the system of claims 3 and 4 respectively, they do not teach or further define over the claimed limitations. Therefore claims 12 and 13 are rejected for the same reasons set forth for claims 3 and 4.

23> As to claims 19 and 20, as they do not teach or further define over the claimed limitations, they are rejected for the same reasons set forth for claims 17 and 18, supra.

24> Claims 7-8 and 14-16 are rejected under 35 U.S.C § 103(a) as being unpatentable over Frailong and L'Heureux, in further view of Motoyama et al, U.S Patent No. 6,581,092 ["Motoyama"] and Applicant's admitted prior art ["AAPA"].

25> As to claim 7, Frailong discloses that the equipment management apparatus is capable of being connected to multiple communications systems, including a second communication system that differs from a packet data communication system [Figure 3 «item 326»] but does not explicitly disclose that the transmission controller determines type of system of communication with an equipment management apparatus newly installed, and in the case where the communication system is the second communication system, the controller waits for reception of initial transmission data transmitted from the equipment management apparatus newly installed, and transmits connection check data.

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26> Motoyama discloses determining the type of system of communication with an equipment management apparatus newly installed, and in the case where the communication system is the second communication system, transmits connection check data [column 6 «lines 37-62» | column 16 «line 46» to column 17 «line 33»].

AAPA further discloses that the controller waits for reception of initial transmission data transmitted from the equipment management apparatus newly installed before transmitting [Specification : page 1 «line 17» to page 2 «line 19»].

It would have been obvious to one of ordinary skill in the art to incorporate Motoyama's connection determination functionality and AAPA's transmission waiting functionality into Frailong's equipment management system for the added benefit of being able to utilize multiple lines of connection-oriented and connectionless-oriented transmissions to insure that the device receives his data even when a line goes down. Furthermore, AAPA discloses waiting for an initial transmission data from the management apparatus to insure that the apparatus is connected to the internet before transmitted the required connection data, thus providing another level of error-checking.

27> As to claim 8, Frailong discloses the equipment management system of claim 7 wherein the second communication system is a communication system that utilizes a public telephone circuit network [Figure 3 «item 326» | column 1 «lines 45-61»].

28> As to claim 14, Frailong discloses an equipment management method for managing equipment by an equipment management apparatus for acquiring management information

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from equipment and a central management apparatus for centrally managing management information making communication in accordance with a first communication system or a second communication system, the equipment management method comprising the steps of:

registering information concerning an equipment management apparatus to be newly installed at the central management apparatus [column 12 «line 62» to column 13 «line 9»].

Frailong does disclose multiple communication systems [Figure 3 «items 322, 324, 326»] and in the case where the communication system is the first communication system, the central management apparatus transmitting connection check data addressed to the equipment management apparatus without receiving initial transmission data from the equipment management apparatus to be newly installed [column 5 «lines 31-58»] but does not explicitly disclose:

determining whether a communication system between the newly installed equipment management apparatus and the central management apparatus is a first communication system or a second communication system; and

and in the case where the communication system is the second communication system, the central management apparatus transmitting the connection check data addressed to the equipment management apparatus in response to reception of the initial transmission data from the equipment management apparatus to be newly installed.

29> Motoyama discloses determining whether a communication system between the newly installed equipment management apparatus and the central management apparatus is

a first communication system or a second communication system [column 6 «lines 37-62» | column 16 «line 46» to column 17 «line 33»].

AAPA further discloses a second communication system wherein the central management apparatus transmitting the connection check data addressed to the equipment management apparatus in response to reception of the initial transmission data from the equipment management apparatus to be newly installed. [Specification : page 1 «line 17» to page 2 «line 19»].

It would have been obvious to one of ordinary skill in the art to incorporate Motoyama's connection determination functionality and AAPA's transmission waiting functionality into Frailong's equipment management system for the added benefit of being able to utilize multiple lines of connection-oriented and connectionless-oriented transmissions to insure that the device receives his data even when a line goes down. Furthermore, AAPA discloses if using the second communication system, waiting for an initial transmission data from the management apparatus to insure that the apparatus is connected to the internet before transmitted the required connection data, thus providing another level of error-checking.

30> As to claim 15, Frailong discloses the equipment management method of claim 14 wherein the first communication system is a packet data communication system that utilizes Internet [Figure 2 «item 216»].

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31> As to claim 16, Frailong discloses the equipment management method of claim 15 wherein the second communication system is a communication system that utilizes a public telephone circuit network [Figure 3 «item 326» | column 1 «lines 45-61»].

32> Claim 10 is rejected under 35 U.S.C § 103(a) as being unpatentable over Frailong and L'Heureux, in further view of Motoyama.

33> As to claim 10, Frailong does not explicitly disclose equipment as image forming apparatus.

34> Motoyama discloses equipment to be managed as an image forming apparatus for forming an image on a sheet [column 10 «lines 1-7»]. It would have been obvious to one of ordinary skill in the art to implement Frailong's client computers as digital copiers as taught by Motoyama. One would have been motivated to perform such an implementation to increase the functionality of Frailong's equipment management system by enabling the remote server configure a wider variety of devices.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dohm Chankong whose telephone number is (571)272-3942. The examiner can normally be reached on 8:30AM - 5:30PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (571)272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DC



Durg C. Datta
Primary Examiner

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